REMARKS

Upon entry of this amendment, claims 1-4, 6-12 and 14 are all the claims pending in the application. Claims 5 and 13 have been canceled by this amendment.

I.   Claim Rejections under 35 U.S.C. § 101

Claim 13 has been rejected under 35 U.S.C. § 101. As noted above, claim 13 has been canceled by this amendment.

II.   Claim Rejections under 35 U.S.C. § 102

Claims 1-14 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Simpson (US 6,405,310).

Claim 1, as amended, recites the features of a device identification unit operable to identify, based on each of the devices identified by said specification-conforming device identification unit and each of the devices identified by said use situation-conforming device identification unit, the device to be controlled, wherein the device to be controlled is a device identified by both of the specification-conforming device identification unit and the use situation-conforming device identification unit; wherein the identification performed by the specification-conforming device identification unit of each of the devices having the specification which conforms to the identified specification-related condition is carried out independently from the identification performed by the use situation-conforming device identification unit of each of the devices having the use situation which conforms to the identified use situation-related condition.

Applicants respectfully submit that Simpson does not disclose, suggest or otherwise

12

render obvious at least the above-noted combination of features recited in claim 1.

Regarding Simpson, Applicants note that this reference discloses a system which enables a user at a management computer to invoke a function on one or more managed units of a peripheral system (see col. 2, lines 13-17). In this regard, as explained in Simpson, the system is able to discover, organize, display, modify and monitor managed entities (MEs) related to peripherals (see col. 3, lines 33-35). With respect to the managed entities (MEs), it is disclosed in Simpson that a typical ME object references to management interfaces (MIs), wherein each MI contains one or more functions, some of which may enable retrieval of information from the device and others of which may enable the associated device to perform a function (see col. 5, lines 40-48).

In Simpson, a first example described therein regarding the management of peripherals is related to the management of printers. In particular, Simpson discloses a system having the ability to display all printers that are below a certain threshold of toner, wherein the list of printers is displayed from the least amount of toner to the most amount of toner (see col. 9, lines 7-15). A second example described in Simpson relates to the installation of fonts on end user machines, wherein all MEs supporting a TrueTypeFontManagement interface are identified, and the fonts are then installed on the identified machines (see col. 10, lines 19-27).

Thus, in Simpson, <u>devices of a particular type are first identified</u> (e.g., printers or end user machines), and subsequently, one or more of the devices <u>from among the identified devices</u> are identified as conforming to a user defined condition (e.g., printers with low toner or end user machines that support a particular font).

In contrast, Applicants note that claim 1 has been amended so as to clarify that the identification performed by the "specification-conforming device identification unit" is carried out independently from the identification performed by the "use situation-conforming device identification unit". In other words, according to claim 1, the identification performed by the "use situation-conforming device identification unit" is <u>not</u> dependent upon the identification performed by the "specification-conforming device identification unit", whereas in Simpson, as described above, the identification of the devices which conform to a user defined condition (e.g., printers with low toner or end user machines that support a particular font) is <u>dependent upon</u> the identification of the devices that are of a particular type (e.g., printers or end user machines). Thus, the way in which a device is identified in claim 1 is distinct from the way in which a device is identified in Simpson.

Taking the foregoing into account, Applicants note that while Simpson discloses the ability to identify <u>devices of a particular type </u>(e.g., printers or end user machines), and subsequently, to <u>identify one or more of the identified devices</u> as conforming to a user defined condition (e.g., printers with low toner or end user machines that support a particular font), Applicants respectfully submit that Simpson does not disclose or suggest the above-noted features recited in amended claim 1 of a device identification unit operable to <u>identify,</u> based on each of the devices identified by said specification-conforming device identification unit and each of the devices identified by said use situation-conforming device identification unit, <u>the device to be controlled,</u> wherein the device to be controlled is a device identified by <u>both</u> of the specification-conforming device identification unit and the use situation-conforming device

identification unit; wherein the <u>identification performed by the specification-conforming device</u> <u>identification unit</u> of each of the devices having the specification which conforms to the identified specification-related condition is <u>carried out independently</u> from the <u>identification</u> <u>performed by the use situation-conforming device identification unit</u> of each of the devices having the use situation which conforms to the identified use situation-related condition.

In view of the foregoing, Applicants respectfully submit that Simspon does not disclose, suggest or otherwise render obvious all of the features recited in amended claim 1. Accordingly, Applicants submit that claim 1 is patentable over the cited prior art, an indication of which is kindly requested.

In addition, Applicants note that claim 1 has also been amended to recite that for each of the devices, the use situation of the device includes a physical location and a time, and the specification of the device includes a functional specification of the device, and at least one of a shape, a size, a mass, a color, and a use environment condition. Applicants respectfully submit that Simpson does not disclose or suggest such features.

In particular, as noted above, while Simpson describes the ability to <u>monitor the amount</u> <u>of remaining toner in a printer</u>, and to <u>install a particular type of font</u> on end user machines that support such a font, Applicants respectfully submit that Simpson does not disclose, suggest or other render obvious the above-noted features recited in amended claim 1 which indicate that for each of the devices, the <u>use situation of the device includes a physical location and a time</u>, and the <u>specification of the device includes a functional specification of the device, and at least one</u> <u>of a shape, a size, a mass, a color, and a use environment condition.</u>

In view of the foregoing, Applicants respectfully submit that claim 1 is patentable over Simpson, an indication of which is kindly requested.

Regarding claims 2-4 and 6-11, Applicants note that these claims depend from claim 1 and are therefore considered patentable at least by virtue of their dependency.

Regarding claims 12 and 14, Applicant notes that each of these claim has been amended so as to recite the features of a device identification step of identifying, based on each of the devices identified in said specification-conforming device identification step and each of the devices identified in said use situation-conforming device identification step, the device to be controlled, wherein the device to be controlled is a device identified in both of the specification-conforming device identification step and the use situation-conforming device identification step; wherein the identifying performed in the specification-conforming device identification step of each of the devices having the specification which conforms to the identified specification-related condition is carried out independently from the identifying performed in the use situation-conforming device identification step of each of the devices having the use situation which conforms to the identified use situation-related condition; wherein, for each of the devices, the use situation of the device includes a physical location and a time; and wherein, for each of the devices, the specification of the device includes a functional specification of the device, and at least one of a shape, a size, a mass, a color, and a use environment condition.

For at least similar reasons as discussed above with respect to claim 1, Applicant respectfully submits that Simpson does not disclose, suggest or otherwise render obvious the

above-noted features recited in claims 12 and 14. Accordingly, Applicant submits that claims 12 and 14 are patentable over the cited prior art, an indication of which is kindly requested.

III.   Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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